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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/559,224	04/26/2000	Robert L. Schmitter	2544-P018	1284

7590 08/27/2004

OBJECT BUILDERS
20134 VALLEY FORGE CIRCLE
KING OF PRUSSIA, PA 19406

EXAMINER

NAHAR, QAMRUN

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/559,224

Applicant(s)

SCHMITTER, ROBERT L.

Examiner

Qamrun Nahar

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment filed on 11/21/03.
2. The objection to the drawings is withdrawn in view of applicant's submission of proposed drawing correction filed on 2/19/03.
3. The objection to the abstract is withdrawn in view of applicant's submission of abstract on a separate sheet filed on 2/19/03.
4. Claims 1-3 have been amended.
5. Claims 4-54 have been added.
6. Claims 1-54 are pending.
7. The objection to the disclosure is pending.
8. The objection to claim 37 is pending.
9. Claims 3, 19-21, 25-41, and 42-48 stand finally rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
10. Claims 1-54 stand finally rejected under 35 U.S.C. 102(e) as being anticipated by Faustini et al. (U.S. 5,842,020).

Response to Amendment

Drawings

11. The proposed drawing correction filed on 2/19/03 has been approved.

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12. The Patent and Trademark Office no longer makes drawing changes. See 1017 O.G. 4.

It is applicant's responsibility to ensure that the drawings are corrected. Corrections must be made in accordance with the instructions below.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

Replacement Drawing Sheets

Drawing changes must be made by presenting replacement figures which incorporate the desired changes and which comply with 37 CFR 1.84. An explanation of the changes made must be presented either in the drawing amendments, or remarks, section of the amendment. Any replacement drawing sheet must be identified in the top margin as "Replacement Sheet" and include all of the figures appearing on the immediate prior version of the sheet, even though only one figure may be amended. The figure or figure number of the amended drawing(s) must not be labeled as "amended." If the changes to the drawing figure(s) are not accepted by the examiner, applicant will be notified of any required corrective action in the next Office action. No further drawing submission will be required, unless applicant is notified.

Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin.

Annotated Drawing Sheets

A marked-up copy of any amended drawing figure, including annotations indicating the changes made, may be submitted or required by the examiner. The annotated drawing sheets must be clearly labeled as "Annotated Marked-up Drawings" and accompany the replacement sheets.

Timing of Corrections

Applicant is required to submit acceptable corrected drawings within the time period set in the Office action. See 37 CFR 1.85(a). Failure to take corrective action within the set period will result in ABANDONMENT of the application.

If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings MUST be filed within the THREE MONTH shortened statutory period set for reply in the "Notice of Allowability." Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136 for filing the corrected drawings after the mailing of a Notice of Allowability.

Specification

13. The disclosure is objected to because of the following informalities: the word "in" followed by "functionality" on line 1 of page 7 of the specification should be replaced by "is".

Appropriate correction is required.

Claim Objections

14. Claim 37 is objected to because of the following informalities: "on of" on line 2 of the claim should be "one of". Appropriate correction is required.

Claim Rejections - 35 USC § 112

15. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

16. Claims 3, 19-21, 25-41, and 42-48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

17. Claim 3 recites the limitation "**the** memory of the execution environment" in line 3 of the claim. There is insufficient antecedent basis for this limitation in the claim. This limitation is interpreted as "**a** memory of the execution environment".

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18. Claim 19 recites the limitation "the basis" in lines 1-2 of the claim. There is insufficient antecedent basis for this limitation in the claim. This limitation is interpreted as "a basis".

Claims 20 and 25-26 are rejected for dependency upon rejected base claim 19 above.

19. Claim 21 recites the limitation "said environment" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim. This limitation is interpreted as "said execution environment".

20. Regarding claim 27, the term "of a type" renders the claim(s) indefinite because the addition of the word "type" to an otherwise definite expression extends the scope of the expression so as to render it indefinite. See MPEP § 2173.05(b)(E).

Claims 28-41 are rejected for dependency upon rejected base claim 27 above.

21. Claim 33 recites the limitation "said document server" in line 1 of the claim. There is insufficient antecedent basis for this limitation in the claim. This limitation is interpreted as "said document server process".

22. Claim 42 recites the limitation "said document server means" in line 10 of the claim. There is insufficient antecedent basis for this limitation in the claim. This limitation is interpreted as "a document server means".

Claims 43-48 are rejected for dependency upon rejected base claim 42 above.

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23. Claim 42 recites the limitation "independent of said document server means" in lines 9-10 of the claim, which renders the claim indefinite because document server means is not defined in the claim. Therefore, prior art could not be applied to this limitation.

Claims 43-48 are rejected for dependency upon rejected base claim 42 above.

Claim Rejections - 35 USC § 102

24. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

25. Claims 1-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Faustini et al. (U.S. 5,842,020).

Per Claim 1:

The Faustini patent discloses:

- **an object oriented software application system, having an execution environment in which an object-oriented application is deployed as a collection of application objects, each application object having attributes defining properties thereof** (“Method, system, and article of manufacture for dynamic editing of object oriented components used in an object oriented applet or application.” in abstract and column 153, lines 58-59 to column 154, lines 1-11)

- **an inspector configured to permit modification of at least one application object in the object oriented application, for communicating information pertaining to the attributes of the application object while the application object is deployed in the execution environment**

(“Dynamic editing is accomplished by providing each component that would have need of an editor with that capability as an integral part of the class template from which it is instantiated. ... Thus, when such edit capable components are instantiated in either the logical view 402 or the physical view 500, their built-in customizer or edit window 1104 is invoked, see FIG. 11, and opens automatically. The editor appears in the view ready for use to change or customize the properties of the component, in this case scrollbar 604b, based on user interaction with the customizer or editing window 1104. ... An editing window ... is defined as a method corresponding to the editor ... An editing window is opened ... when the component with which it is associated is dragged and dropped or instantiated for use.” in column 153, lines 58-59 to column 154, lines 1-11; column 154, lines 16-21; depicted in Figure 11A, by blocks 1122 and 1126)

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- a document server for maintaining an inventory of objects deployed in the execution environment, the document server providing a user interface to the inspector for communicating with said one application object (“when such edit capable components are instantiated in either the logical view 402 or the physical view 500, their built-in customizer or edit window 1104 is invoked, see FIG. 11, and opens automatically.” in column 10, lines 36-51 and column 154, lines 5-8).

Per Claim 2:

The Faustini patent discloses:

- wherein the document server is configured to actuate the inspector, and wherein the inspector is configured to generate a display of attributes defining the object (column 154, lines 8-10 and column 154, lines 16-21; depicted in Figure 11A, by blocks 1122 and 1126)

Per Claim 3 (as best understood):

The Faustini patent discloses:

- wherein the inspector is configured to allow user modification of the attributes shown in the display and to apply such modification to the attributes of the application object in a memory of the execution environment (column 10, lines 45-48 and column 154, lines 22-35).

Per Claim 4:

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The Faustini patent discloses:

- wherein the inspector is configured to permit user modification of the application object during execution of the object-oriented application (column 10, lines 45-48 and column 154, lines 22-35).

Per Claim 5:

The Faustini patent discloses:

- wherein the document server is configured to maintain an inventory of objects deployed in the execution environment, and to retrieve and instantiate a corresponding inspector for a deployed object desired to be modified (column 154, lines 5-11).

Per Claim 6:

The Faustini patent discloses:

- further comprising a library of objects accessible to the document server, for permitting addition of objects from the library to the object-oriented application (column 154, lines 5-11 and FIG 2, item 206).

Per Claims 7-8:

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These are another versions of the claimed system discussed above (claims 1, 2 and 3), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Faustini.

Per Claims 9 and 16:

These are another versions of the claimed system discussed above, claim 13, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Faustini.

Per Claim 10:

The Faustini patent discloses:

- **wherein the execution environment comprises a web browser** (column 10, lines 25-43).

Per Claim 11:

The Faustini patent discloses:

- **wherein said inspector is configured to modify a visual attribute of said object** (column 154, lines 49-58).

Per Claim 12:

The Faustini patent discloses:

- wherein said inspector is configured to modify said visual attribute to be conditionally dependent on a characteristic of the execution environment (column 154, lines 49-58).

Per Claim 13:

The Faustini patent discloses:

- wherein the inspector is configured to permit user modification of the application object during execution of the object-oriented application, further comprising means for selectively archiving said application object and adding said application object to said library (column 154, lines 5-35).

Per Claim 14:

The Faustini patent discloses:

- wherein said inspector is provided in the form of an archive file accessible to the document server (column 9, lines 9-25).

Per Claim 15:

The Faustini patent discloses:

- wherein said archive file is an XML file (column 9, lines 9-25).

Per Claims 17-18:

These are another versions of the claimed system discussed above (claims 14-15, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Faustini.

Per Claim 19 (as best understood):

The Faustini patent discloses:

- wherein said document server selects said inspector on a basis of object attribute information contained within said inventory (column 154, lines 5-8).

Per Claim 20 (as best understood):

The Faustini patent discloses:

- wherein said inventory comprises an object registry of the execution environment (column 10, lines 13-44).

Per Claim 21 (as best understood):

The Faustini patent discloses:

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- wherein said document server is configured for searching and identifying each object deployed in said execution environment having a common attribute selected for modification, to allow selective modification of each such object (column 10, lines 13-44 and column 154, lines 5-11).

Per Claim 22:

The Faustini patent discloses:

- wherein said document server is configured for searching a library of archived objects, and for identifying archived objects having a common attribute selected for modification, to allow selective modification of each such object (column 10, lines 13-44 and column 154, lines 5-11).

Per Claim 23:

The Faustini patent discloses:

- wherein said document server is further configured for maintaining a history of modifications to provide version tracking of the object (column 10, lines 13-44).

Per Claim 24:

The Faustini patent discloses:

- wherein said execution environment comprises a register of runtime objects, and wherein said inventory comprises the register, whereby the document server accesses the register to provide means for selecting the inspector corresponding to the runtime object (column 10, lines 13-44).

Per Claim 25 (as best understood):

The Faustini patent discloses:

- wherein the inspector communicates with the runtime object via a network communication protocol (column 10, lines 25-35).

Per Claim 26 (as best understood):

The Faustini patent discloses:

- wherein said protocol comprises one of CORBA, COM, RPC and DDE (column 10, lines 25-35).

Per Claim 27 (as best understood):

The Faustini patent discloses:

- in an object oriented software system having an execution environment and a de-archiver configured to access and launch executable objects into the execution environment on the

basis of an object document, an improvement comprising: a document server process configured for accessing a registry of executable objects launched into the execution environment; a plurality of inspector documents each comprising an archived inspector configured to alter an attribute of an executable object (column 10, lines 13-51 and column 154, lines 5-8)

- and the document server process having user-operable means for deploying an inspector into the execution environment based upon user selection of a selected executable object, the document server process configured to deploy said inspector on the basis of the registry and a corresponding archived inspector (column 154, lines 8-35).

Per Claim 28 (as best understood):

The Faustini patent discloses:

- wherein said inspector is configured to alter a method of said selected executable object while said executable object continues to operate in the execution environment (column 153, lines 58-59 to column 154, lines 1-11).

Per Claims 29-30 (as best understood):

These are improvement versions of the claimed system discussed above (claims 3 and 11, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Faustini.

Per Claim 31 (as best understood):

The Faustini patent discloses:

- wherein said attribute is an operational attribute of said selected executable object
(column 154, lines 36-48).

Per Claim 32 (as best understood):

The Faustini patent discloses:

- wherein said attribute is a menu item associated with said selected executable object
(column 154, lines 49-58).

Per Claim 33 (as best understood):

This is an improvement version of the claimed system discussed above, claim 6, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above.

Thus, accordingly, this claim is also anticipated by Faustini.

Per Claim 34 (as best understood):

The Faustini patent discloses:

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- wherein said inspector is configured to communicate with said executable object (column 154, lines 2-11).

Per Claim 35 (as best understood):

The Faustini patent discloses:

- wherein said executable object is configured to comprise a communication method for receiving configuration data defining operational behavior of the object, and wherein said inspector is configured to transmit configuration data via said communication method (column 154, lines 2-11).

Per Claims 36-37 (as best understood):

These are improvement versions of the claimed system discussed above (claims 25 and 26, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Faustini.

Per Claim 38 (as best understood):

The Faustini patent discloses:

- wherein said inspector documents comprise alternative archived inspectors corresponding to an executable object, and wherein said document server process is

configured to select among said alternative archived inspectors according to an operating system of the execution environment (column 9, lines 25-33 and column 10, lines 13-43).

Per Claim 39 (as best understood):

The Faustini patent discloses:

- wherein said inspector documents comprise a generic inspector document configured to determine attributes of an executable object and to provide a user interface for altering said attributes (column 154, lines 2-4).

Per Claim 40 (as best understood):

The Faustini patent discloses:

- wherein said inspector documents are stored as ASCII files (column 9, lines 9-25).

Per Claim 41 (as best understood):

The Faustini patent discloses:

- wherein said inspector documents are stored as XML files (column 9, lines 9-25).

Per Claim 42 (as best understood):

The Faustini patent discloses:

- **a method of altering and deploying an object oriented application comprising a plurality of application objects** (abstract and column 153, lines 58-59 to column 154, lines 1-11)

- **deploying said application in a first execution environment; providing, in the first execution environment, selection means for selecting an inspector configured for modification of a corresponding application object; deploying said inspector in said first execution environment** (column 153, lines 58-59 to column 154, lines 1-11; column 154, lines 16-21; depicted in Figure 11A, by blocks 1122 and 1126)

- **operating said inspector to modify the application object; archiving said application, including the modified application object; and deploying said application in a second execution environment** (column 10, lines 36-51 and column 154, lines 5-8).

Per Claim 43 (as best understood):

The Faustini patent discloses:

- **wherein said step of operating said inspector is performed while the application executes within the first execution environment** (abstract and column 153, lines 58-59 to column 154, lines 1-11).

Per Claim 44 (as best understood):

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The Faustini patent discloses:

- wherein said first and second execution environment comprise respective different operating systems (column 10, lines 25-35).

Per Claim 45 (as best understood):

The Faustini patent discloses:

- wherein said step of deploying said application in the second execution environment comprises transmitting said application via a computer network (column 10, lines 25-35).

Per Claim 46 (as best understood):

The Faustini patent discloses:

- wherein said second execution environment comprises a web browser (column 10, lines 25-35).

Per Claim 47 (as best understood):

The Faustini patent discloses:

- further comprising the step of providing a library of objects for selectively adding objects from the library to the application (column 154, lines 5-11 and FIG 2, item 206).

Per Claim 48 (as best understood):

The Faustini patent discloses:

- **further comprising the step of selectively archiving the modified application object and adding the modified application object to the library** (column 154, lines 5-35).

Per Claims 49-51:

These are another versions of the claimed method discussed above, claim 42, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above.

Thus, accordingly, these claims are also anticipated by Faustini.

Per Claims 52-53:

These are another versions of the claimed method discussed above (claims 47-48, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Faustini.

Per Claim 54 (as best understood):

The Faustini patent discloses:

- **wherein said step of saving said modified object comprises the step of saving said modified object as an XML archive document** (column 9, lines 9-25).

Conclusion

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

27. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (703) 305-7699. The examiner can normally be reached on Mondays through Thursdays from 9:00 AM to 6:30 PM. The examiner can also be reached on alternate Fridays.

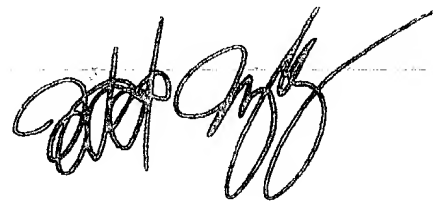
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (703) 305-9662. The fax phone number for the organization where this application or processing is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QN
August 9, 2004

A handwritten signature in black ink, appearing to read 'Todd Ingberg', with a long horizontal stroke extending to the right.

**TODD INGBERG
PRIMARY EXAMINER**